

**UNITED STATES COURT OF APPEALS**  
**DISTRICT OF COLUMBIA CIRCUIT**  
333 CONSTITUTION AVENUE, NW  
WASHINGTON DC 2001-2866  
PHONE: 202-216-7000 FACSIMILE: 202-912-219-8530

PACIFIC CRANE MAINTENANCE  
COMPANY, L.P., *for itself and as*  
*successor to* PACIFIC CRANE  
MAINTENANCE CO., INC.; *and*  
PACIFIC MARINE MAINTENANCE  
COMPANY, LLC,

Petitioners,

v.

NATIONAL LABOR RELATIONS  
BOARD,

Respondent.

Case No. 15-1181

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INTERNATIONAL LONGSHORE &  
WAREHOUSE UNION,

Co-Petitioner,

v.

NATIONAL LABOR RELATIONS  
BOARD,

Respondent.

Case No. 15-1185

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INTERNATIONAL ASSOCIATION  
OF MACHINISTS AND  
AEROSPACE WORKERS, AFL-CIO;  
et al.,

Petitioners,

v.

NATIONAL LABOR RELATIONS  
BOARD,

Respondent.

Case No. 15-1215

**PETITIONERS' STATEMENT OF ISSUES**

Pursuant to this Court's June 24, 2015, Order, Pacific Crane Maintenance Company, L.P., for itself and as successor to Pacific Crane Maintenance Co., Inc.; and Pacific Marine Maintenance Company, LLC (collectively, "Pacific Crane") state the issues to be raised as follows:

1. Whether Pacific Crane fulfilled its bargaining obligations to the Machinists Union.
2. Whether the former Machinists-represented employees have been accreted into the ILWU-represented coast-wide bargaining unit.
3. Whether the NLRB's decision is contrary to law, including, but not limited to, the United States Supreme Court's decision in *First National Maintenance Corp. v. NLRB*, 452 U.S. 666 (1981).
4. Whether the NLRB's decision is supported by substantial evidence on the record considered as a whole.
5. Whether the passage of more than ten years since the events in question; the NLRB's delay in processing this case; and changed circumstances make the NLRB's affirmative bargaining order and other portions of the remedy improper and unenforceable.

DATED: July 24, 2015

Attorneys for Petitioners, Pacific Crane  
Maintenance Company, L.P., *for itself and as  
successor to Pacific Crane Maintenance Co.,  
Inc.; and Pacific Marine Maintenance  
Company, LLC:*

/s/ Neal Mollen

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PAUL HASTINGS LLP

Neal Mollen, Esq.

815 15th Street, N.W.

Washington D.C. 20005

(202) 551-1738

D.C. Bar No.: 413842

**CERTIFICATE OF SERVICE**

I hereby certify that on July 24, 2015, a copy of the foregoing PETITIONERS' STATEMENT OF ISSUES, was served on all parties or their counsel of record through the CM/ECF system pursuant to FRAP 25(c)(2) as addressed below:

<p>David A. Rosenfeld, Esquire Weinberg, Roger &amp; Rosenfeld 1001 Marina Village Parkway Suite 200 Alameda, CA 94501 (510) 337-1001 DRosenfeld@unioncounsel.net</p> <p><i>Counsel for Machinists District Lodges 190, 1546 and 160</i></p>	<p>David Habenstreit, Esq. Assistant General Counsel Nation Labor Relations Board 1015 Half Street SE Suite 8100 Washington, DC 20570 (202) 273-2960 (phone) appellatecourt@nlrb.gov</p> <p><i>Attorney for Respondent, National Labor Relations Board</i></p>
<p>Christine S. Hwang, Esq. Robert S. Remar, Esq. Leonard Carder, LLP 1188 Franklin Street, Suite 201 San Francisco, CA 94109 (415) 771-6400 chwang@leonardcarder.com rremar@leonardcarder.com</p> <p><i>Counsel for International Longshore &amp; Warehouse Union</i></p>	<p>Kristina Detwiler, Esq. Robblee Detwiler &amp; Black P.L.L.P. 2101 Fourth Avenue, Suite 1000 Seattle, WA 98121-2392 (206) 467-6700 kdetwiler@unionattorneysnw.com</p> <p><i>Counsel for Machinists District Lodge 160</i></p>

I certify that the above is true and correct. Executed at Washington, D.C. on July 24, 2015.

/s/ Neal Mollen  
Neal Mollen